

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NEIL F.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION,  
Defendant.

Case No. 22-10789

Honorable Shalina D. Kumar

Magistrate Judge Anthony P. Patti

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 18)**

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Before the Court is Plaintiff Neil F.'s civil action challenging a final decision of the Commissioner of Social Security (Commissioner) denying his application for Disability Insurance benefits. ECF No. 1. This case was referred to the assigned magistrate judge for all pretrial purposes. ECF No. 3. The parties subsequently filed cross-motions for summary judgment. ECF Nos. 10, 13.

On May 12, 2023, the assigned magistrate judge issued a Report and Recommendation (R&R). ECF No. 18. The R&R recommends that the Court deny plaintiff's motion for summary judgement (ECF No. 10), grant defendant's motion for summary judgment (ECF No. 13), and affirm the Commissioner's decision because plaintiff has not met his burden of proof

that the ALJ erred in its assessment of plaintiff's symptoms. ECF No. 18. At the conclusion of the R&R, the assigned magistrate judge advised the parties that they may object to and seek review of the R&R within fourteen (14) days of the date the R&R was issued. *Id.* Neither plaintiff nor defendant filed objections to the R&R.

The Court has reviewed the record and the R&R is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that plaintiff's motion for summary judgment (ECF No. 10) is **DENIED**, defendant's motion for summary judgment (ECF No. 13) is **GRANTED**, and the Commissioner's decision is **AFFIRMED**.

Dated: August 23, 2023

s/ Shalina D. Kumar  
SHALINA D. KUMAR  
United States District Judge